IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 20TH JULY 2006 / 29TH ASHADHA,1928

Bail Appl..No. 4340 of 2006

(CRIME NO.178/2006 OF CHERUTHURUTHY POLICE STATION)

APPLICANT/ACCUSED:

MOHANAN, AGED 29 YEARS,
S/O. VELAYUDHAN, MELETH HOUSE, PANJAL,
THALAPPILLY TALUK, THRISSUR DISTRICT.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4340/2006

DATED THIS THE 20TH DAY OF JULY, 2006

O R D E R

The petitioner is accused of the offence, punishable under Section 379 IPC and also under Section 4 (1)(a) and 21(1) of Mines and Minerals (Regulation of Development) Act. It is alleged that the petitioner had committed theft of the sand and therefore, Cheruthuruthy Police registered crime No.178/2006. The petitioner is before this Court, under Section 438 Cr.P.C., as he apprehends arrest.

2. After hearing both sides, and considering the submissions made by the Prosecution, I direct the petitioner to surrender before the investigation officer of Cheruthuruthy Police Station, on 27.7.2006 at 11.00 a.m., and the investigating officer shall interrogate the petitioner and produce him thereafter, before the Court below, according to the law. If no application for the custody of the petitioner, is moved by the investigation

officer, the petitioner shall be released on bail, allowing the application, that may be filed by him.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs